

REMARKS

In the Office Action mailed October 12, 2001, the Examiner has provisionally rejected claims 1-48 under the judicially created doctrine of obviousness-type double patenting.

In response to the above rejection, Applicant submits the following amendment and remarks. Claims 1-48 are pending in the application.

Applicant has made minor amendments to the specification in order to cure grammatical errors. No new matter has been added.

The Examiner has provisionally rejected claims 1-48 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-55 of copending Application No. 09/906,576.

Applicant herewith provides a Terminal Disclaimer disclaiming any term of a patent issuing from the present application beyond the term of the patent issuing from the copending application, U.S. Serial No. 09/906,576 which was filed on July 16, 2001.

Therefore, Applicant believes that the provisional rejection of claims 1-48 of the instant application as allegedly unpatentable over claims 1-55 of U.S. Serial No. 09/906,576 should be withdrawn.

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The application is now believed to be in condition for allowance. Notification to this effect at the Examiner's earliest convenience would be greatly appreciated. If the Examiner believes a telephone discussion with Applicant's representative would be beneficial, he/she is invited to contact the undersigned at the telephone number provided below.

Respectfully submitted,



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MARKED UP VERSION SHOWING CHANGES

IN THE SPECIFICATION:

On page 6, the paragraph beginning on line 17 should read:

The composition can contain essentially any percentage of ubiquinone as desired. For example, the percentage of ubiquinone can vary between 1 and 99% by weight of the composition. In a preferred embodiment, the composition will contain between about 5 and 15% of ubiquinone by weight of the composition. Approximately 8% ubiquinone by weight of the composition is most preferred.

On page 6, the paragraph beginning on line 22 should read:

The glycoprotein matrix is the glycoprotein to which ~~to~~ the ubiquinone compound is bound. Glycoprotein is a composite material made of a carbohydrate group and a simple protein. The carbohydrate in the glycoprotein can be any suitable carbohydrate, such as a monosaccharide, disaccharide, oligosaccharide, or polysaccharide. Oligosaccharide is preferred. The protein of the glycoprotein can any suitable polypeptide. The ratio of carbohydrate to protein in the glycoprotein matrix can vary, for example, from 99:1 to 1:99 by weight. A ratio of approximately 1:1 is preferred.

On page 9, the paragraph beginning on line 1 should read:

In a preferred embodiment, the binding of the glycoprotein matrix to the ubiquinone includes contacting the ubiquinone ~~to~~ with a glycoprotein producing microorganism under conditions in which the microorganism produces glycoprotein. The microorganisms require a medium in which to ferment and produce glycoprotein. Such media are known to those skilled in the art, and are usually liquid. Water is preferred. The microorganism solution should contain enough growth medium so as to allow for efficient growth of the

microorganisms, as is known in the art. For example, to produce approximately 4 kg of a composition of the invention, approximately 4 liters of H₂O can be used in the microorganism solution. When the microorganisms are added to the liquid medium, a microorganism solution is formed.